REMARKS/ARGUMENTS

Applicants notes that the Examiner's previous objections to the drawings, declaration, specification, and claims 4, 23 and 24 were withdrawn in view of the Amendment filed December 8, 2004.

1.   Summary of the Office Action Dated May 17, 2005:

In the Office Action dated May 17, 2005, the Examiner objected to claims 26 and 45 as being of improper dependent form. Claims 26 and 45 have been cancelled, so this objection is believed moot.

Claims 36-43 were rejected under 35 U.S.C. § 112 as indefinite due to the reference in claim 36 of "the at least one client location." Claim 36 has been amended to clarify that the database is stored on a computer located at a first location and a "second computer operating at a client location that is remote from the first location, ..." Thus, claim 36 provides that the database is stored on a first computer at a first location and the second computer is operated at a client location that is remote from the first location. It is believed that this amendment resolves all remaining issues under Section 112.

The Examiner rejected claims 25-27, 29, 34-41, and 43-46 as anticipated under 35 U.S.C. § 102(e) by Frankel et al., U.S. Patent No. 6,449,611. The Examiner also rejected claims 28 and 47 as obvious under 35 U.S.C. § 103(a) based on the combination of Frankel and Brown, U.S. Patent No. 6,173,284. Further, the Examiner rejected claims 30-32, 42, and 48 as obvious under 35 U.S.C. § 103(a) based on the combination of Frankel and Martin et al., U.S. Patent No. 4,847,791. Finally, the Examiner rejected claim 33 as obvious under 35 U.S.C. § 103(a) based on the combination of Frankel, Martin, Brown, and Nickerson, published U.S. Patent Application No. 2003/0115023. For the reasons detailed below, Applicants believe that the claims are

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patentably distinct from the references cited and therefore request allowance of the pending claims.

2.   The Section 102(e) Rejection Based on Frankel:

The Examiner's rejection under Section 102(e) is based on the Examiner's conclusion that Frankel involves the provision of security services and security data. Frankel discloses a "business model" involving the use of an Internet web site for assisting in the location of missing goods or persons. The entire point of Frankel is to provide a system to allow someone to post information about a lost or missing item or person on a web site in order to provide widespread dissemination of information regarding the missing item or person. See Frankel, col. 1, lines 10-18. Frankel fails to ever mention the use of such a system by private security guards, fails to mention how such a site could be used to provide private security services for a client, and fails to mention how such a site could be used to provide data relating to private security services to a client of such private security services. Indeed, the nature of private security services is such that much of the information to be provided to a client of such services by a private security officer is to be kept confidential and provided only to the applicable client.

The claims as now amended clarify that the security services provided are "private security services." As noted in the Specification of the pending application, security services usually involve uniformed security offices who patrol a client's premises and monitor a client's premises. See U.S. Published Patent Application No. 2003/0084033, paragraphs 0002-0005. The Specification further notes the types of security information included in a daily activity report, including "a log of the various incidents observed by or reported to the officer, such as assaults, burglaries, thefts, injuries, lost children, vandalism, complaints, and the like, ..." Id.,

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paragraph 0062. Such private security services are nowhere disclosed or discussed in Frankel. Consequently, Frankel fails to anticipate any of the pending claims.

The Examiner pointed out that Frankel refers to law enforcement agencies, such as at col. 11, lines 6-15. However, Frankel simply notes that a web site for posting information on missing articles and persons preferably would allow law enforcement agencies to enter police reports, allowing the missing or stolen asset information to be extracted from the police report and automatically posted to the web site. Id. In sharp contrast to Frankel, the present invention involves the provision of information regarding private security services at a client location to a web site accessible over the Internet by a client of such private security services. Frankel therefore fails to anticipate the pending claims. Withdrawal of the rejection under Section 102(e) based on Frankel is respectfully requested.

3.   The Section 103(a) Rejections:

a.   Overview of the Invention:

Conventional approaches to providing security services utilize paper driven processes. Traditionally, for example, a security officer providing security services at a client location and prepares a written daily report summarizing the services and events of a given day. This conventional approach to providing security services delays a client's access to such reports, and makes it difficult and costly for the client to maintain copies of the reports for later use. Moreover, analysis of the information is limited when presented in written form. The claims of the present invention recite electronic, Internet driven processes for providing improved security services.

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Independent claim 25 recites that a database of information is capable of data communication, via the Internet, with at least one security officer computer installed at a client location and that the database is maintained by:

receiving security data from the at least one security officer computer, via the Internet, wherein the security data is entered into the at least one security officer computer by the security officer providing private security services at the client location, and the security data corresponds with at least one security related event occurring at the client location.

Moreover, claim 25 recites that maintaining the database includes hosting the database so that the information stored therein is Internet accessible. In particular, claim 25 recites:

hosting the database so that at least a portion of the information stored therein is Internet accessible by the at least one client, wherein the at least one client accesses the information in the database by providing an authorization code to a website that permits restricted access to at least a subset of the information stored in the database.

A review of the claims reveals that these concepts are echoed in independent claims 36 and 44.

b. General Principles Applicable to the Section 103(a) Rejections:

To establish a prima facie case of obviousness, three criteria must be shown. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. The teaching or suggestion to make the unclaimed combination and the reasonable expectation of success must both be found in the prior art and not based on the applicant's disclosure. *See, e.g., In re Vaeck*, 947 F.2d 488,

20 USPQ2d 1438 (Fed. Cir. 1991); Manual of Patent Examining Procedure § 706.02(j) & 2143.

If the proposed modification would render the prior invention being modified unsatisfactory for

its intended purpose, then there is no suggestion or motivation to make the proposed

modification. *See, e.g., In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); Manual

of Patent Examining Procedure § 2143.01. Moreover, a prior art reference must be considered in

its entirety, including those portions that would lead away from the claimed invention. *See, e.g.,*

W.L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Circ. 1983);

Manual of Patent Examining Procedure § 2141.02.

c. Claims 28 and 47 and the Combination of Frankel and Brown:

Frankel is discussed above. Brown teaches a system for monitoring police records for

predefined crime profiles and for notifying a police officer, or group of police officers, when a

match occurs. Brown, col. 2, lines 46-49. Unlike the claims of the present invention, Brown

teaches a limited system that is only available to police officers. For example, in Figure 1 of

Brown, "the system 10 comprises a user interface module 12 that receives query information

from a police officer that defines a search query for a crime profile." Brown, col. 5, lines 44-46.

A database procedure performs a search, and if a match occurs, a notification message is sent to

the police officer or a group of police officers. Brown, col. 5, lines 49-57. The purpose of the

system described in Brown is to "shift the burden of identification of crime-related problems

from the police officer to a computer-based system" Brown, col. 5, lines 49-57.

Unlike Frankel or Brown, the independent claims of the present invention include

receiving data relating to security services at a client location from at least one security officer

providing private security services at that client location. The security data corresponds with

security related events occurring at the client location. The database of the present invention is

populated with the security data and is made available, via the Internet, to at least one client that enters an authorization code to access at least a portion of the information. Brown does not teach or suggest these features. Instead, Brown is directed to "an improved system of monitoring police records." Brown, col. 2, lines 40-41.

Nothing in Brown or Frankel suggests or teaches combining the two references. Brown is intended to assist law enforcement officers, whereas Frankel is intended to assist those looking for lost items or persons. Brown is directed towards efficient law enforcement, while Frankel is intended to allow for possible recovery of missing items or persons. Neither Brown nor Frankel is directed to providing private security services or to providing information regarding such security services with respect to a client location. Even in combination, Brown and Frankel thus fail to teach all of the elements of the pending claims. Consequently, reconsideration of the rejection and allowance of the claims is requested.

d.   Claims 30-32, 42 and 48 and the Combination of Frankel and Martin:

As noted above, Frankel fails to teach or suggest its application to private security services at a client location. Martin discloses a timekeeping system "especially useful in a shop having a number of mechanic employees and having a number of different types of machines operated by those employees." Martin, col. 1, lines 11-14. Martin is directed towards a computer with multiple workstations; the employees use the work stations to record start and stop times for various jobs or operations, so that the computer can keep track of the time required for various jobs in order to determine whether a job is profitable. See Martin, col. 1, lines 54-68. Martin fails to suggest or provide any motivation for use of such a system in connection with security services provided at a client location, let alone requiring that a security officer submit a particular type of report before the security officer can log off a computer or "clock out.".

Moreover, nothing in either Frankel or Martin suggests or provides any motivation for their combination. Even in combination, Frankel and Martin fail to teach all of the elements of the pending claims. Consequently, reconsideration of the rejection and allowance of the claims is requested.

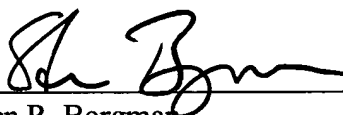**e.   Claim 33 and the Combination of Frankel, Martin, Brown and Nickerson:**

Frankel, Brown, and Martin are discussed above. Nickerson is directed to soliciting user feedback regarding the user's reaction to web site pages. Nickerson teaches that an icon soliciting user feedback can be provided without <u>requiring</u> the user to go to another web page. A close reading of Nickerson shows, however, that it fails to teach <u>requiring</u> the user to provide feedback <u>before</u> the user can move to another web page, let alone requiring the submission of a report by a security officer before the office can "clock out." Even assuming that the combination of Frankel, Martin, Brown, and Nickerson is appropriate (which Applicants dispute), the combination of these four references still fails to teach all of the elements of the pending claims. Consequently, reconsideration of the rejection and allowance of the claims is requested.

CONCLUSION

It is believed that the claims as amended herein patentably distinguish over the references cited. Applicants believe that this paper is fully responsive to all outstanding issues raised by the Advisory Action mailed August 8, 2005. Applicants therefore respectfully request allowance of pending claims 25-48, as amended in accordance with the Response to Office Action mailed July 18, 2005. The Office is invited to contact the undersigned attorney at (713) 758-2002 with any questions, comments, or suggestions relating to the referenced patent application.

Respectfully submitted,

VINSON & ELKINS L.L.P.
Attorneys for Applicants

Steven R. Borgman
Reg. No. 33,160
First City Tower
1001 Fannin Street, Suite 2300
Houston, Texas 77002
Date: September 19, 2005   (713) 758-2002
(713) 615-5243 (Fax)

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